

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

BOLLENBACH ENTERPRISES LIMITED
PARTNERSHIP, on behalf of itself and all
others similarly situated,

Plaintiff,

v.

OKLAHOMA ENERGY ACQUISITIONS
LP; ALTA MESA SERVICES, LP; and
ALTA MESA HOLDINGS, LP (including
affiliated predecessors and affiliated
successors),

Defendants.

Case No. 5:17-CV-00134-HE

**JOINT MOTION TO REOPEN CASE
FOR CLASS SETTLEMENT APPROVAL AND ADMINISTRATION**

Pursuant to the Court's Administrative Closing Order dated June 26, 2017 [Doc. 25], the Parties jointly move the Court to reopen the proceeding to allow for administration and approval of the class wide settlement reached between the Parties. In support of this Motion, the Parties show the Court as follows:

1. At a mediation conducted on June 12, 2017, and continuing telephonically into June 13, 2017, the Parties were able to negotiate a class wide settlement of the royalty underpayment claims which are the subject of this case. *See* ADR Report of Mediator Bob Gum [Doc. 24].
2. As a result of that filing, the Court entered its Administrative Closing Order dated June 26, 2017 [Doc. 25], which states in pertinent part that any party may seek to

“reopen the proceeding for any other purpose necessary to obtain a final determination of the action.”

3. Because this case is a class action, it is necessary under Fed.R.Civ.P. 23(e) for this Court to consider preliminary approval of the settlement, issuance of class notice, and ultimately approval of a final settlement, including an application for attorneys’ fees and expenses.

4. Accordingly, the Parties jointly request the Court reopen the proceeding to allow for the required class settlement administration process under Fed.R.Civ.P. 23.

5. Under the terms of the settlement, revenue from production attributable to Defendant’s operated wells, through June 2017 production, will be subject to the settlement terms. The parties will not be able to calculate settlement amounts attributable to the putative class until revenue for production through June 2017 has been determined, which, in normal course of revenue accounting, will not be until late August 2017.

6. In furtherance of this required settlement process, the Parties jointly request the Court reopen the case for approval and administration of the class settlement, and to permit, in due course, the filing of the following pleadings and scheduling of hearings to facilitate the Class settlement:

- a. **August 2, 2017** – Plaintiff to file amended complaint to incorporate all claims which were settled at the mediation
- b. **August 9, 2017** – Defendants to file their answer denying the now settled claims

c. September 6, 2017 – Motion for Preliminary Certification of Settlement

Class and Approval of Class Action Settlement to be filed

d. September , 2017 – Preliminary Approval Hearing by phone or in person if the Court deems it necessary.

Dated this 26th day of July, 2017

Respectfully submitted,

s/Reagan E. Bradford

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CERTIFICATE OF SERVICE

I hereby certify that on July 26, 2017, a true and correct copy of the above and foregoing document was served in accordance with the Local Rules on all counsel of record via the Court's electronic filing system.

/s/ Reagan E. Bradford
Reagan E. Bradford